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AUG 15 2005

OFFICE OF PETITIONS

In re Application of	:	
Tracy E. Grim, Kevin R. O'Donnell, and Eric	:	
G. Montag	:	
Application No. 09/592,462	:	DECISION ON PETITION
Filed: June 9, 2000	:	UNDER 37 C.F.R. §1.47(a)
Attorney Docket Number: 480032-307	:	
Title: FOOTGEAR WITH PRESSURE	:	
RELIEF ZONES	:	

This is in response to the petition under 37 C.F.R. §1.47(a), filed May 10, 2005.

A grantable petition under 37 C.F.R. §1.47(a) requires:

- (1) the petition fee of \$130;
- (2) a surcharge of either \$65 or \$130 if the petition is not filed at the time of filing the application, as set forth in 37 CFR § 1.16(e);
- (3) a statement of the last known address of the non-signing inventors;
- (4) either
 - a) proof that a copy of the entire application (specification, claims, drawings, and the oath or declaration) was sent or given to the non-signing inventor for review and proof that the non-signing inventor refuses to join in the application or
 - b) proof that the non-signing inventor cannot be found or reached after diligent effort;
- (5) a declaration which complies with 37 CFR §1.63.

The above-identified reissue application was filed on June 9, 2000, identifying Tracy E. Grim, Kevin R. O'Donnell, and Eric G. Montag as joint inventors. No oath or declaration was submitted on filing, nor prior to the filing of the present petition.

Submitted with the present petition, is a declaration signed by Tracy E. Grim and Kevin R. O'Donnell. While the signature of Eric G. Montag is absent from the declaration, Petitioner has met each of the 5 requirements set forth above.

Accordingly, the petition is **GRANTED** and this application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor (Eric G. Montag) at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanowski
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Office of Petitions
United States Patent and Trademark Office